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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/658,432	09/08/2003	Peter J. Hopper	P05672	4725
7590	01/15/2004			EXAMINER
Jurgen Vollrath 588 Sutter Street #531 San Francisco, CA 94102				WILSON, ALLAN R
			ART UNIT	PAPER NUMBER
			2815	

DATE MAILED: 01/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

UAM

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/658,432	HOPPER ET AL.
	Examiner	Art Unit
	Allan R. Wilson	2815

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on 08 September 2003.
- 2a) This action is FINAL.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1,2 and 5-7 is/are rejected.
- 7) Claim(s) 3,4 and 8-13 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
 a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____	6) <input type="checkbox"/> Other: _____

## **DETAILED ACTION**

### *Specification*

This application does not contain an abstract of the disclosure as required by 37 CFR 1.72(b). An abstract on a separate sheet is required.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2 and 5-7 are rejected under 35 USC § 102(b) as being anticipated by Donoghue.

With regards to claim 1, Donoghue illustrates in figures 1A-8, particularly figures 3 and 8, (entire document) at least one polygate 368-371 supporting a plurality of sources 316, 318 and drains 328, 330 connected in parallel (fig. 8), wherein the polygate has a non-uniform length  $L_C$ ,  $L_D$  along its width.

With regards to claim 2, Donoghue illustrates in fig. 8 the array includes a common drain interconnect S and a common source interconnect M.

With regards to claim 5, Donoghue illustrates in fig. 3 the drain interconnect and source interconnect each have at least one metal contact 324 with the length of the polygate being shorter  $L_C$  at greater distances from the at least one contact.

With regards to claim 6, Donoghue illustrates in fig. 3 the array has only one drain contact and one source contact if the drain and source regions do not alternate. The drain and source regions do alternate and therefore the array has more than one drain contact and one source contact.

With regards to claim 7, Donoghue illustrates in fig. 3 the array has a drain contact 336, 338 on each side of the polygate and a source contact 324, 326 on each side of the polygate to support staggered drain and source regions.

***Allowable Subject Matter***

Claims 3, 4 and 8-13 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Japanese Patent Application No. 62-2666 (illustrates a non-linear gate) and Tsunashima et al. (illustrates gates of different length).

Field of Search	Date
U.S. Class and subclass: 257/202, 204, 206	7 January 2004
Other Documentation: None	N/A
Electronic data base(s): EAST (USPAT, US-PGPUB, JPO, EPO, Derwent, IBM TDB)	7 January 2004

Any inquiry concerning this communication or earlier communications from an examiner should be directed to Primary Examiner Allan Wilson whose telephone number is (703) 305-3490. After about Feb. 9, 2003 the Examiner's telephone number will change to (571) 272-1738. Examiner Wilson can normally be reached 7:30-4:00 Monday-Thursday and 7:30-3:00 every other Friday. If the Examiner can not be reached, contact Supervisory Patent Examiner Tom Thomas whose telephone number is (703) 308-2772 or after about Feb. 9, 2003 (571) 272-1664.

Any inquiry of a general nature or relating to the status of this application should be directed to the group receptionist at telephone number (703) 308-0956. The central fax number is (703) 872-9306.



Allan R. Wilson  
Primary Examiner  
7 January 2004